THE BOMBAY HOME GUARDS ACT, 1947 (BOM. III OF 1947).

G. N., H. D., No. 893/5, dated 12th November 1946 (B. G., Pt. IV-B, p. 185).

S. 8 Bombay Home Guards Rules, 1946.

Amended by G. N., H. D., No. 893/5, dated 6th June 1947.
Amended by G. N., H. D., No. 2494/5, dated 21st October 1947.
Amended by G. N., H. D., No. 893/5, dated 31st December 1947.
Amended by G. N., H. D. No. 4415/2, dated 2nd June 1948.

In exercise of the powers conferred by section 8 of the Bombay Home Guards Ordinance,* 1946 (Bombay Ordinance No. 1 of 1946), and of all other powers enabling it in this behalf, the Government of Bombay is pleased to make the following rules, namely :—

1. *Short title.*—These rules may be called the Bombay Home Guards Rules, 1946.

2. *Recruitment and appointment.*—(1) No person shall be appointed as a member of the Home Guards unless he has attained the age of 20 and is below the age of 50 years. A member of the Home Guards may continue as such till he reaches the age of 55 years :

Provided that the age limits prescribed above may be relaxed by the Commandant in suitable cases.

(2) No person shall be appointed a member of the Home Guards unless he has passed at least the primary fourth standard examination :

Provided that in the Ahmedabad area a member of the Citizens' Volunteer Corps may be appointed a member of the Home Guards, even if he has not such qualifications ;

Provided further that the State Government may in respect of any area for which the Home Guards has been constituted, fix any other qualifications which it may deem fit.

(3) Every person desiring to be appointed as a member of the Home Guards shall make an application in Form A appended hereto.

(4) In making appointments the Commandant shall be assisted by a Committee called the Home Guards Recruitment Committee, consisting of, in the case of Greater Bombay 5 persons, and in the case of other areas 3 persons, nominated by the State Government.

(5) Before any person is appointed as a member of the Home Guards, the Commandant may require him to undergo a medical test to his satisfication.

(6) No person shall be appointed as a member of the Home Guards unless he has signed a pledge in Form B appended hereto before an officer authorised in that behalf by the Commandant.

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*These rules made under the Bombay Home Guards Ordinance, 1946, continue in force and are deemed to be made in pursuance of the Bombay Home Guards Act, 1947 (Bom. III of 1947).

(7) Every person enrolled as a member of the Home Guards shall receive a certificate of appointment from the Commandant or a person authorised by him.

(8) Appointment of a member of the Home Guards shall be for a term of 5 years : Provided that the Commandant may for special reasons accept the resignation of a member of the Home Guards before the expiry of his term of appointment.

3. *Organisation.*—The Home Guards consist of a Commandant, an Assistant Commandant, an Adjutant, such staff officers as the Commandant may consider necessary, Divisional Commanders, Company Commanders, Platoon Leaders, Assistant Leaders, Section Leaders, Assistant Section Leaders and sections that consist of twelve men. Three Sections will form a Platoon, three Platoons a Company and three companies a Division. As far as possible, each Company will have a Motorized Unit in addition.

4. *Powers of Commandant.*—Subject to the orders of the Commissioner of Police, Bombay, or the District Superintendent of Police concerned, as the case may be, or a police officer authorised by the said officers, the Commandant may exercise all powers conferred under section 4 of the Ordinance on the Commissioner of Police, Bombay, or the District Superintendent of Police, concerned.

5. *Discipline.*—(1) The Commandant shall comply with all orders issued to him by the Commissioner of Police, Bombay, or the District Superintendent of Police, concerned, as the case may be, or any police officer authorised in this behalf by the said officers.

(2) A member of the Home Guards shall perform such duties and functions as may be assigned to him and shall obey every order of his superior officer.

(3) Nothing in the rules or orders made under sections 7 (*2*) and 13 (*1*) (*a*) (*i*) and (*ii*) of the City of Bombay Police Act, 1902, or sections 27 and 29 (*3*) of the Bombay District Police Act, 1890, shall apply to the members of the Home Guards.

(4) For the purposes of administration and discipline, the members of the Home Guards shall, subject to the provisions of sub-rule (5), be under the control of their own officers :

Provided that if a contingent of Home Guards is acting in conjunction the ordinary Police Force the Senior Officer of such contingent present shall be under the immediate control and subject to the directions of the senior officer of such police force present not below the rank of an Inspector, in the area of Greater Bombay and Ahmedabad and, not below the rank of a Sub-Inspector, elsewhere.

(5) The Commissioner of Police, Bombay, the District Superintendent of Police concerned, or the Commandant, may for good and sufficient reasons, direct the removal of a member from the Home Guards.

6. *Uniform, accoutrements, etc.*—(1) A member of the Home Guards shall, while on duty, wear the uniform supplied to him or, if he has not been supplied with a uniform, the armlet prescribed by the Commandant in this behalf. He may also carry a rifle or a revolver or any other weapon, sanctioned by Government.

(2) A member of the Home Guards shall, on ceasing to be a member forthwith deliver to the Commandant or to such person and at such place as he may direct—

(*a*) his certificate of appointment, and

(*b*) the uniform, armlet and any other article supplied to him while he was a member of the Home Guards.

7. *Training.*—The members of the Home Guards shall before they are called out to perform any of the functions laid down in rule 8 undergo a course of training at such time as may be fixed by the Police Officers duly authorised in that behalf by the Commissioner of Police, Bombay, in the Greater Bombay, and the District Superintendent of Police concerned, elsewhere. The course shall consist of physical training squad drill, practical training in effecting arrests, carrying raids, searches and other suitable matter and lectures on the duties of members of the Home Guards. Members of the Home Guards selected by the Commissioner of Police, Bombay, or the District Superintendent of Police concerned, as the case may be, may also be given training in the use of arms.

8. *Functions.*—(1) The functions of members of the Home Guards shall ordinarily consist of—

(*a*) guarding public buildings,

(*b*) patrolling for the prevention of crime, and the enforcement of such regulations and orders made under the City of Bombay Police Act, 1902, in Greater Bombay, or the Bombay District Police Act, 1890, elsewhere, or any other law for the time being in force as it would be the duty of a Police Officer to enforce under the said Acts or law, and

(*c*) assisting the ordinary police force in its other duties.

(2) A member of the Home Guards constituted for any area shall be bound to serve in any part of such area :

Provided that as far as possible each platoon shall be assigned duties near the locality in which the members composing such platoon reside.

(3) Except in an emergency no member of the Home Guards shall without his consent when called out, be required to be on duty for more than four times a week or in the aggregate more than eight hours a week.

9. *Remuneration.*—A duty allowance of Rs. 2-8-0 per day shall be paid to each member of the Home Guards who is called out to aid the Police, or when he is required to attend a training camp. No other remuneration of any kind shall be paid to the member except under the provisions of rule 11.

10. *Compensation.*—If a member of the Home Guards suffers any damage to his person or property while under training or on duty, he shall be paid such compensation as may be determined by the State Government, provided that such damage or injury is caused in circumstances over which the Home Guard has no control.

11. *Motorised unit.*—A motorised unit of the Home Guards may be formed for members owning motor vehicles who desire to place the services of themselves and their vehicle at the disposal of the Commandant when called out under section 4 of the Ordinance. Only member-owners who know how to drive and whose motor vehicles conform to the required specifications shall be enrolled in this unit. The State Government shall bear the cost of petrol for the use of the motor vehicles and extra ration shall be given in respect of such vehicles, so long as rationing of petrol lasts.

The State Government shall also bear the difference between the riot and ordinary insurance in respect of such vehicles in cases in which the member-owners have taken out riot insurance policies in respect of such vehicles.

FORM A.

Form of Application.

To

The Commandant, Home Guards, "Greater Bombay".

I declare that I am a citizen of India that I desire to be enrolled in the Home Guards for Greater Bombay* and that I am not under any obligation to serve in any other force.

I understand that—

(1) in any emergency I shall be liable to be called out on duty at any time and for any period;

(2) I shall not ordinarily be liable when called out, to be on duty for more than 4 times a week nor in the aggregate for more than 8 hours a week;

(3) I shall be required to take the following pledge, namely :—

"I.....residing at .....
....., do solemnly and sincerely declare and affirm that I will well and truly serve the Government of Bombay as a member of the 'Home Guards' in Greater Bombay* without favour or affection, malice or ill-will, or communal or political bias : and that I will with the best of my powers, cause peace to be kept and preserved, and prevent all offences against persons and property and that, while I continue to be a member of the Home Guards I will to the best of my skill and knowledge, discharge all the duties as such member faithfully, according to law and will not allow any communal or political bias to interfere with the duties assigned to me by Government or my superior officers."

(4) I shall, except for special reasons accepted by the Commandant, be required to serve for a period of 5 years in the Home Guards;

(5) I shall be liable to serve in any part of Greater Bombay.*

1. Name in full .....

2. Address ... (Residence) .....
(Business) .....

3. Telephone No. ... (Residence) .....
(Business) .....

4. Date of birth .....

5. Place of birth ... (Town) .....
(Country or District) .....

6. Occupation or profession .....

7. Education (Degrees held or examination passed)—

(Special qualifications such as knowledge of foreign languages or of stenography or typing should be mentioned.)

* Here insert the name of the area concerned.

8. Particulars of war service or military or naval training or training with any First Aid or ambulance Corps.

9. Father's name .....

10. Father's occupation or profession .....

.....

11. State between what hours you would prefer to do normal duty, for example :

(1) 8-0 p.m. and 8-0 a.m. ;

(2) at any time on Sundays and Bank holidays ;

(3) at any time of day, but not more than one day a week.

I declare that the above particulars are correct.

Date

(Signature).

Certificates of character signed by two gentlemen of position who have known you personally for at least 3 years should be written in space below.

1. .....

2. .....

Note.—After completing the form you should post it or deliver it to the Commandant, Home Guards, A.F. (I) Building,

Mahatma Gandhi Road, Dhobi Talao, Bombay
Head Police Office of the area concerned

You will receive intimation in due course whether your services can be utilised.

FORM B.

Form of Pledge.

"I..... residing at.....do solemnly and sincerely declare and affirm that I will well and truly serve the Government of Bombay as a Member of the 'Home Guards', in Greater Bombay* without favour or affection, malice or ill-will, or communal or political bias ; and that I will, with the best of my powers cause peace to be kept and preserved, and prevent all offences against persons and property and that, while I continue to be a member of the Home Guards, I will, to the best of my skill and knowledge, discharge all the duties as such member faithfully, according to law and will not allow any communal or political bias to interfere with the duties assigned to me by Government or my superior officers."

* Here insert the name of the area concerned.